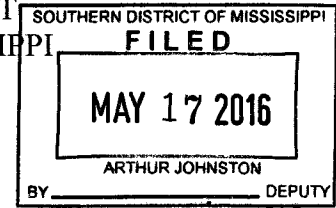


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION



UNITED STATES OF AMERICA

v.

MATTHEW JAMES ELLSWORTH

CRIMINAL NO. **3:16cr39WHB-7KB**
18 U.S.C. § 2252(a)(4)(B)

The Grand Jury charges:

That on or about July 7, 2015, in Lauderdale County, in the Northern Division of the Southern District of Mississippi, the defendant, **MATTHEW JAMES ELLSWORTH**, did knowingly possess and access to view one or more matters which contained any visual depiction that had been mailed, shipped and transported using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce, and which was produced using materials which had been mailed and so shipped and transported, by any means including by computer where the producing of such visual depiction involved the use of minors engaging in sexually explicit conduct and such visual depictions were of such conduct, that is: the defendant possessed a Western Digital External hard drive, serial number WX81A2024171, a HP Pavilion A6303W tower computer, serial number CNH8020J7W and Seagate Barracuda hard drive, serial number 6QF3XQGX which contained one or more one or more images, in digital still or video format, depicting minors engaging in sexually explicit conduct as defined in Section 2256(2)(A), in violation of Title 18, United States Code, in violation of Section 2252(a)(4)(B).

NOTICE OF INTENT TO SEEK CRIMINAL FORFEITURE

As a result of committing the offenses as alleged in this Indictment, the defendant shall forfeit to the United States all property involved in or traceable to property involved in the offenses,

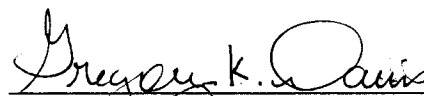
including but not limited to all proceeds obtained directly or indirectly from the offenses, and all property used to facilitate the offenses.

The grand jury has determined that probable cause exists to believe that the following property is subject to forfeiture as a result of one or more of the offenses alleged in this indictment:

- (1) One (1) Western Digital External hard drive, serial number WX81A2024171; and
- (2) One (1) HP Pavilion A6303W tower computer; and
- (3) One (1) Seagate Barracuda hard drive, serial number 6QF3XQGX.

Further, if any property described above, as a result of any act or omission of the defendant: (a) cannot be located upon the exercise of due diligence; (b) has been transferred or sold to, or deposited with, a third party; (c) has been placed beyond the jurisdiction of the Court; (d) has been substantially diminished in value; or (e) has been commingled with other property, which cannot be divided without difficulty, then it is the intent of the United States to seek a judgment of forfeiture of any other property of the defendant, up to the value of the property described in this notice or any bill of particulars supporting it.

All pursuant to Title 18, United States Code, Sections 2253(a)(2) and (3), United States Code.


GREGORY K. DAVIS
United States Attorney

A TRUE BILL:
S/SIGNATURE REDACTED
Foreperson of the Grand Jury

This indictment was returned in open court by the foreperson or deputy foreperson of the grand jury on this the 17th day of May, 2016.


UNITED STATES MAGISTRATE JUDGE